

Appln. No. 10/029,326

Attorney Docket No. 10541-282

II. Remarks

In response to the final Office Action mailed August 2, 2007, kindly enter the foregoing amendment and consider the following remarks.

The Office Action and the references cited therein have been carefully considered. Claims 1, 11 and 15 have been amended. Thus claims 1-24 are pending and are at issue herein. In view of the following remarks, favorable reconsideration of this application is requested.

CLAIM REJECTIONS UNDER 35 USC § 102

Claims 1-6, 23 and 24 stand rejected under 35 U.S.C. §102(e) as being anticipated by the Morohashi reference (U.S. Publication No. 2005/0141367). Claim 1 recites, among other things, a personal computer network interface adapted to facilitate transfer of encoded audio files to an external storage device on a network. Claim 1 also recites a person computer bus providing a shared common pathway for transmitting data directly between the storage medium and the data expander and the audio output in the network interface, the data expander being directly connected to the storage medium without the interposition of the personal computer bus.

The Office Action asserts that a direct connection between two devices still requires some medium to affect the communication between the devices, and asserts that in the Morohashi reference the bus is merely the medium providing the direct connection between the two devices.

It is respectfully submitted that the Office Action is reading the limitation out of the context of the other limitations in the claim. The claim originally cited that the personal computer bus provides a data pathway between the storage medium and the data expander, AND that the data extender is directly connected to both the storage medium and the personal computer bus. Under the interpretation in the Office Action, these limitations would therefore be considered redundant. Nonetheless, claim 1 has been amended to recite, "the data expander further being directly connected to the storage medium without the interposition of the personal computer bus". It is respectfully submitted that this limitation is not met by the Morohashi reference.

BRINKS
HOFFER
OILSON
BLONDE

-7-

Appln. No. 10/029,326

Attorney Docket No. 10541-282

The Office Action is also parsing out the terms "network" and "interface" in separately defining these terms to read the claim onto the prior art. Submitted herewith is a definition of "network interface" as defined in Federal Standard 1037C from the National Telecommunications and Information Administration. As commonly understood by those skilled in the art, a network interface is the point or apparatus providing the interconnection of a device with the network or the interconnection between one network and another network.

The Applicant also reiterates the additional distinctions made in the remarks of the prior response. For all these reasons, favorable reconsideration of independent claim 1, as well as its dependent claims, is respectfully requested.

The Applicant again directs the Examiner's attention to claim 23, which recites that the personal computer bus is a parallel bus directly connected to each of the storage medium, the data expander, the audio output and the network interface. To the contrary, as shown in Fig. 5 of the Morohashi reference, the bus 130 is not directly connected to the audio output. For these additional reasons, favorable consideration of dependent claim 23 is respectfully requested.

CLAIM REJECTIONS UNDER 35 USC § 103

The remaining claims stand rejected over the Morohashi reference as modified by the Janik reference (U.S. Publication No. 2002/0164973).

With regard to independent claim 11, the Examiner's remarks on page 4 and 5 of the final Office Action are duly noted. Page 4 of the final Office Action states that the local playback is met by the implementation of the LAN, and that streaming music is frequently implemented in the LAN such as is shown in Fig. 7 of the Stern reference (U.S. Patent No. 6,539,417). Accordingly, the Examiner asserts "the limitation of the local playback w/o copying the encoded files is met by the streaming implementation."

Amended claim 11 recites that the interface provides "transfer of decoded audio files over the network for local playback without the need to copy the encoded audio data files to the external device." As previously stated in the prior response, the recording and playback apparatus 70 of the Morohashi reference, as shown in

BRINKO
HOFFER
GILSON
ALTONE

Appln. No. 10/029,326

Attorney Docket No. 10541-282

Fig. 5, only provides a compression decoder 115 which receives information from the computer bus 130 and provides it to the audio output. That is, the compression decoder 115 does not provide any information to the bus or any other portion of the apparatus 70 other than the audio output. The Morohashi apparatus is simply incapable of working as claimed.

For all these reasons, favorable reconsideration of independent claim 11, as well as its dependent claims, is respectfully requested.

With regard to claim 15, the claim recites that the data expander provides decoded audio data to the audio output through the personal computer bus. It is respectfully submitted that none of the cited references include a data expander for decoding the encoded audio data files and providing decoded audio data to the audio output via the personal computer bus.

The Applicant also reiterates the remarks regarding the propriety of the combination of the Morohashi and Janik references, and that the references actually teach away from such a combination. Both the Morohashi and Janik references disclose portable devices that solely obtain music from a dedicated music server, and there is simply no disclosure of these portable devices functioning as a server on a computer network. Claim 15 additionally recites that the network protocol allows other members of the network to access storage medium, and as previously noted, the apparatus functions as a server on a computer network to transmit data to another device over the computer network. These limitations are simply not disclosed in the cited prior art.

For all these reasons, favorable reconsideration of independent claim 15, as well as its dependent claims, is respectfully requested.

BRINKE
HOFER
GILSON
SLONE

Appln. No. 10/029,326

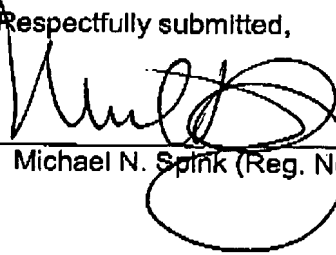
Attorney Docket No. 10541-282

CONCLUSION

In view of the preceding amendments and remarks, the Applicant respectfully submits that the specification is in order and that all of the claims are now in condition for allowance. If the Examiner believes that personal contact would be advantageous to the disposition of this case, Applicant respectfully requests that the Examiner contact the Attorney of the Applicant at the earliest convenience of the Examiner.

10-2-07
Date

Respectfully submitted,


Michael N. Spink (Reg. No. 47,107)

BRINKS
HOEGER
GILSON
ALONE



Federal Standard 1037C

Note: The updated version of this standard (*Telecom Glossary 2000*) is completed. Click [here](#) for more information.

Telecommunications: Glossary of Telecommunication Terms



Date of Publication: August 7, 1996

Use the [Search Engine](#).

Definition: network interface

http://www.its.bldrdoc.gov/fs-1037/dir-024/_3520.htm

network interface

network interface: 1. The point of interconnection between a user terminal and a private or public network. 2. The point of interconnection between the public switched network and a privately owned terminal. (188) *Note: Code of Federal Regulations, Title 47, part 68, stipulates the interface parameters.* 3. The point of interconnection between one network and another network. (188)

This HTML version of FS-1037C was last generated on Fri Aug 23 00:22:38 MDT 1998